

Im



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Jouni HYVARINEN et al.

Group Art Unit: 1791

Application No.: 10/525,080

Examiner: C. SZEWCZYK

Filed: February 18, 2005

Docket No.: 122835

For: METHOD AND APPARATUS FOR PROCESSING A PREFORM

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the July 22, 2009 Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

Claims 29-38 are pending in this application.

**I. Rejections Under 35 U.S.C. §103**

**A. Fleming and Saito**

The Office Action rejects claims 29, 30, 32-35, and 37 under 35 U.S.C. §103(a) over U.S. Patent No. 6,553,790 to Fleming, Jr. et al. ("Fleming") and U.S. Patent No. 5,942,019 to Saito et al. ("Saito"). Applicants respectfully traverse the rejection.

Claim 29 recites:

- 29. A method for stretching a preform, comprising:
  - securing the preform to a drawer using a first movable gripping means and a second movable gripping means, the first and second gripping means being independently movable;
  - heating the preform or a section thereof, at least locally, with at least one independently movable heating device;

stretching the preform by moving the first or the second movable gripping means and holding the other of the first and second gripping means in a position relative to a body of the drawer to generate a tension to the preform and moving the heating device towards the moving gripping means;  
wherein, during stretching of the perform, the gripping means on a side of an end product of the preform is held in a position relative to the body of the drawer irrespective of a direction of stretching.

The combination of Fleming and Saito would not have rendered obvious claim 29 for at least the following reasons.

Neither Fleming nor Saito disclose, "wherein, during stretching of the perform, the gripping means on a side of an end product of the preform is held in a position relative to the body of the drawer irrespective of a direction of stretching," as claimed. Fleming instead discloses that when only one of the chucks (14, 16) is moved during tuning of the diameter, the heat source (18) is moved towards the chuck that is not moved. *See, e.g.*, Fleming at column 4, lines 34-50. This description necessarily results in a method where the end product is moved in relation to the body of the drawer. In other words, the chuck on the side of the end product is moved, as opposed to holding "the gripping means on a side of an end product ... in a position" as claimed. Saito does not, nor is it asserted to, cure at least this deficiency.

The method of claim 29 results in advantages that are unexpected over the disclosure of the applied references. For example, the claimed method results in decreasing the movement of the end product, which in turn results in decreasing quality oscillations in the end product. The methods disclosed in the applied references do not perform or identify the method of claim 29 and, as a result, yield a lower quality end product. Furthermore, the method of claim 29 enables holding the end product in position irrespective of the stretching direction (upwards or downwards).

Claim 29 would not have been rendered obvious by Fleming and Saito. Claims 30, 32-35, and 37 depend from claim 29 and, thus, also would not have been rendered obvious by

Fleming and Saito. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

**B. Fleming and Saito in view of Secondary References**

Claims 31, 36, and 38 are rejected over the combination of Fleming and Saito as applied to claim 29, in view of various secondary references that are only relied upon by the Office Action for their asserted disclosure of the additional limitations respectively recited in dependent claims 31, 36, and 38. None of the asserted teachings of the secondary references relied upon by the Office Action cures the above-discussed deficiencies of the combination of Fleming and Saito with respect to claim 1.

Because claims 31, 36, and 38 depend from claim 1, the deficiencies of the combination of Fleming and Saito with respect to claim 1 are equally applicable to claims 31, 36, and 38. As such, the rejections of claims 31, 36, and 38 are deficient for at least the reasons discussed above with respect to the rejection of claim 1 over the combination of Fleming and Saito. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

**II. Conclusion**

In view of the foregoing, Applicants respectfully submit that this application is in condition for allowance. Applicants earnestly solicit favorable reconsideration and prompt allowance of the application.

Should the Examiner believe that anything further would be desirable to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Ryan R. Brady  
Registration No. 62,746

JAO:RRB/rrb

Date: October 22, 2009

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--